BEFORE THE LOK ADALAT

ORGANISED BY THE KERALA HIGH COURT LEGAL SERVICES COMMITTEE

THE HONOURABLE MR. JUSTICE G.SIVARAJAN (RETD.JUDGE)
&
SRI.K.J.THOMAS STANLEY (RETD.ADDL.DIST.JUDGE)

MONDAY, THE 5TH NOVEMBER 2007 / 14TH KARTHIKA 1929

Mat.Appeal.No. 154 of 2004(E)

O.P.No.665/1997 OF FAMILY COURT, THRISSUR.

APPELLANT/PETITIONER IN O.P.665/97

DHARMAN, AGED 44 YEARS, S/O.KUNNAPPILLY SANKARAN,
LOKAMALESWARAM VILLAGE AND DESOM,
KODUNGALLUR TALUK.

BY ADV. SRI.C.JAYACHANDRAN

RESPONDENTS: RESPONDENT IN O.P.665/97.
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1. SMT.LATHA, AGED 35 YEARS,
D/O.KALANI PUSHPAN, THALIKULAM VILLAGE AND DESOM,
CHAVAKKAD TALUK.

2. SRI.SHINE, AGED 26 YEARS,
S/O.CHETTIYARA GOPALAN, LOKAMALESWARAM VILLAGE
AND DESOM, KODUNGALLUR TALUK.

BY ADV. SRI.K.I.SAGEER

THIS MATRIMONIAL APPEAL HAVING COME UP FOR DETERMINATION AT LOK ADALAT ALONG WITH MAT.APPEAL.NO.155/2004 & R.S.A.No.280/2006 AND THE PARTIES HAVING SETTLED THE MATTER, THE FOLLOWING AWARD IS PASSED IN TERMS OF SETTLEMENT.

JUSTICE G.SIVARAJAN
(RETIRED JUDGE, HIGH COURT OF KERALA)
&
SRI.K.J.THOMAS STANLEY
(RETIRED ADDITIONAL DISTRICT JUDGE)

MAT.APPEAL.Nos.154 & 155 OF 2004 &
R.S.A.No.280 OF 2006

Dated this the 5th day of November, 2007

A W A R D

Counsel for the parties and the parties are present. An order was passed in the adalat on 13.8.2007 as follows:

> "Parties and counsel are present. A broad consensus has been arrived at. The appellant has agreed to measure the property and after fixing the total value thereof calculated at the rate of Rs.75,000/- per cent and for giving 1/3 of such value to the 1st respondent in this case. On receipt of the amount, the 1st respondent will execute a conveyance in favour of the appellant and his two children to convey 1/3 share each. Along with execution of the document these two appeals as also RSA.No.280/06 pending before this court will all be settled. In order that the appellant may raise the required money, the cases are posted on 22.10.2007. Post along with RSA.No.280/2006 and Mat.Appeal.No.155/2004.

Today the counsel for the parties submit that all the directions issued in the above order have been complied with. After measuring the property and after fixing the total value thereof calculated at the rate specified in the order a sum of Rs.3,00,000/- (Rs. Three lakhs only) representing 1/3 of the value of the property has been paid to the 1st respondent wife. The appellant submits that this amount is paid in full and final settlement of all the claims of the 1st respondent

wife including future maintenance. The 1st respondent agrees to the same. It is also stated that the 1st respondent had executed a conveyance of 12.5 cents of property which is one of the subject matter of these cases in the name of the brother-in-law of the appellant on behalf of the appellant and the two children as requested by the appellant.

In view of the above, the parties have agreed that Mat.Appeal No.154/2004 can be allowed and a decree of divorce can be granted in favour of the appellant. We accordingly pass a decree of divorce by dissolving the marriage between the appellant and 1st respondent from this date.

In view of the above no specific orders are required in Mat.Appeal No.155/2004. It is disposed of accordingly.

Parties have also agreed that RSA.No.280/2006 can be dismissed. Accordingly, RSA.No.280/2006 is dismissed.

It is made clear that the parties are free to apply for and obtain the original documents, if any, produced in these cases which are returnable.

The appeals are settled as above.

JUSTICE G.SIVARAJAN
(RETIRED JUDGE, HIGH COURT OF KERALA)

SRI.K.J.THOMAS STANLEY
(RETIRED ADDITIONAL DISTRICT JUDGE)

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